

**BOROUGH OF WEST NEWTON  
WESTMORELAND COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2024-1**

**AN ORDINANCE OF THE BOROUGH OF WEST NEWTON, WESTMORELAND COUNTY, PENNSYLVANIA ESTABLISHING A PLANNING COMMISSION UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE ACT 247 OF 1968, P.L. 805, AS REENACTED AND AMENDED, 53 P.S. § 10101, ET SEQ. BE IT ORDAINED AND ENACTED BY WEST NEWTON BOROUGH, WESTMORELAND COUNTY, PENNSYLVANIA.**

**Section 1.** The council of the Borough of West Newton, Westmoreland County hereby signifies its intention and desire to organize a Planning Commission under the provisions of Article III of the Pennsylvania Municipalities Planning Code.

**Section 2.** The Planning Commission shall consist of (5) five members, all of whom shall be citizens of the Borough of West Newton, Westmoreland County. The term of office of the members shall be four (4) years and should expire on December 31 or until a successor is appointed, except that the terms of the members first appointed shall be so fixed that on a commission of five (5) members or less, no more than two (2) shall be reappointed during any future calendar year. In the event of vacancies, the governing body shall appoint a member to fill the unexpired term. The members of the Planning Commission shall be appointed by the West Newton Borough Council by resolution which shall also state the term to be filled by each planning commissioner. Elected or appointed officers or employees of the municipality may serve on the planning commission. However, at least three members shall be citizen members.

**Section 3.**

A. The planning commission shall at the request of the West Newton Borough Council have the power and shall be required to prepare the comprehensive plan for the development of the municipality as set forth in the MPC and present it for the consideration of the West Newton Borough Council.

B. The planning commission shall maintain and keep on file records of its actions. All records and files of the planning commission shall be in the possession of the governing body.

C. The planning commission at the request of the governing body may:

(1) Make recommendations to the governing body concerning the adoption or amendment of an official map.

(2) Prepare and present to the governing body of the municipality a zoning ordinance and make recommendations to the governing body on proposed amendments to it.

(3) Prepare, recommend, and administer subdivision and land development and planned residential development regulations.

(4) Prepare and present to the governing body of the municipality a building code and a housing code and make recommendations concerning proposed amendments thereto.

(5) Do such other acts or make studies as may be necessary to fulfill the duties and obligations imposed by the MPC.

- (6) Prepare and present to the governing body of the municipality an environmental study.
- (7) Submit to the governing body of a municipality a recommended capital improvements program.
- (8) Prepare and present to the governing body of the municipality a water survey, which shall be consistent with the State Water Plan and any applicable water resources plan adopted by a river basin commission. The water survey shall be conducted in consultation with any public water supplier in the area to be surveyed.
- (9) Promote public interest in, and understanding of, the comprehensive plan and planning.
- (10) Make recommendations to governmental, civic, and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- (11) Hold public hearings and meetings.
- (12) Present testimony before any board.
- (13) Require from other departments and agencies of the municipality such available information as relates to the work of the planning agency.
- (14) In the performance of its functions, enter upon any land to make examinations and land surveys with the consent of the owner.
- (15) Prepare and present to the governing body a study regarding the feasibility and practicability of using renewable energy sources in specific areas within the municipality.
- (16) Review the zoning ordinance, subdivision and land development ordinance, official map, provisions for planned residential development and such other ordinances and regulations governing the development of land no less frequently than it reviews the comprehensive plan.

**Section 4.** The planning commission may, with the consent of the governing body, accept and utilize any funds, personnel or other assistance made available by the county, the commonwealth, or the federal government, or any of their agencies, or from private sources. The governing body may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with the governmental procedures of the municipality.

**Section 5.** All other resolutions and ordinances or parts thereof, inconsistent herewith, are hereby repealed.

**Section 6.** The terms, provisions and applications of this Ordinance shall be severable. If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, such holding shall not affect the remaining provisions and/or applications of this Ordinance shall remain in full force and effect without the invalid provision or application.

**ORDAINED AND ENACTED** into an Ordinance of the Borough of West Newton this 8<sup>th</sup> day of JANUARY, 2021 by the West Newton Borough Council.

ATTEST:

**BOROUGH OF WEST NEWTON**

By:



Ashley Pergola, Secretary

By:



Jason Cooper, President of Council

By:



Mary Popovich, Mayor

Examined and approved this 8<sup>th</sup> day of

January, 2024